



Control Number: 52273



Item Number: 2

Addendum StartPage: 0

DOCKET NO. 52273

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PUBLIC UTILITY COMMISSION  
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COMPLAINT OF TEXAS COTTON  
GINNERS' ASSOCIATION AGAINST  
MIDAMERICAN ENERGY SERVICES,  
LLC

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PUBLIC UTILITY COMMISSION

OF TEXAS

**ORDER NO. 1  
REQUIRING RESPONSES**

**I. Background**

This Order addresses the June 25, 2021 joint complaint of Texas Cotton Ginners Association (TCGA Members) against MidAmerican Energy Services LLC alleging unauthorized charges for electric service and possible fraudulent or deceptive trade practices. This complaint was filed under 16 Texas Administrative Code (TAC) § 22.242 and is available on the Commission's Interchange webpage at <http://interchange.puc.texas.gov>.

**II. Requiring Response**

MidAmerican Energy must file a response to the complaint no later than July 19, 2021, in accordance with 16 TAC § 22.78. The response must address the following:

1. the Commission's authority over this proceeding;
2. allegations raised in the complaint;
3. applicable statutes, rules, orders, and tariff provisions;
4. copies of any rates or tariffs that are the subject of this complaint; and
5. any other matters relevant to the complaint.

**III. Statement of Position from Commission Staff**

Commission Staff is required to file a statement of position regarding the complaint by July 26, 2021. As part of the statement of position, Commission Staff must address whether the TCGA Members complied with the requirements for informal resolution in accordance with 16 TAC § 22.242(c) and whether TCGA Members complied with the requirements of 16 TAC § 22.242(e), if applicable.

Commission Staff should also address whether this case should be consolidated with Docket No. 52221.<sup>1</sup>

#### IV. Service of pleadings

Service of pleadings is typically governed by 16 TAC § 22.74. However, the Commission has issued a Second Order Suspending Rules,<sup>2</sup> which has suspended the service requirements found in 16 TAC § 22.74. As long as the Second Order Suspending Rules remains in effect, all parties must file any pleading or document with the Commission solely through the Interchange on the Commission's website and provide notice, by email, to all other parties that the pleading or document has been filed with the Commission, unless otherwise ordered by the presiding officer. It will be incumbent upon all other parties to obtain a copy of the pleading or document by accessing the Interchange (<https://interchange.puc.texas.gov/>).

Unless otherwise specified, responses or replies to any motion or other pleading must be filed within five working days after the date on which the motion or other pleading was received by the responding party. Failure to file a timely response will be considered acquiescence to the relief requested.

All parties must provide their current address, **e-mail address**, telephone and fax numbers, if available, to all other parties and the Commission by filing and serving all parties with such information. Each party must provide the Commission and all parties with updated address, **e-mail address**, telephone, and fax information if such information changes. The **e-mail addresses**, telephone and fax numbers will be placed on the service list for the convenience of the parties. Parties are responsible for updating their own service lists to reflect changed information and the addition of any other parties.

Questions concerning this Order or any other order must be submitted in writing, filed with the Commission, and served on all parties of record.

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<sup>1</sup> *Complaint of Thigbe Aggregation Members (Over 50KW) Against MidAmerican Energy Services LLC*, Docket No. 52221 (pending).

<sup>2</sup> *Issues Related to the State of Disaster for the Coronavirus Disease*, Docket No. 50664, Second Order Suspending Rules (July 16, 2020).

**V. Ex Parte Communications**

*Ex parte* communications with the administrative law judge (ALJ) are prohibited per 16 TAC § 22.3(b)(2). Parties must communicate with the ALJ only through written documents filed with the Commission's filing clerk and served on all parties. Questions concerning this Order or any other order must be submitted in writing, filed with the Commission, and served on all parties of record.

**VI. Notifying Office of Public Utility Counsel**

The Office of Public Utility Counsel is notified of this proceeding by copy of this Order.

**Signed at Austin, Texas the 28th day of June 2021.**

**PUBLIC UTILITY COMMISSION OF TEXAS**

A handwritten signature in black ink, appearing to read "Christina Denmark", written over a horizontal line.

**CHRISTINA DENMARK  
ADMINISTRATIVE LAW JUDGE**